

AO 106A (08/18) Application for a Warrant by Telephone or Other Reliable Electronic Means

## UNITED STATES DISTRICT COURT

for the  
Southern District of TexasUnited States Courts  
Southern District of Texas  
FILED

December 02, 2019

David J. Bradley, Clerk of Court.

In the Matter of the Search of  
*(Briefly describe the property to be searched  
 or identify the person by name and address)*  
 HISTORICAL RECORDS ASSOCIATED  
 WITH T-MOBILE CELL NUMBER 210-987-6147

Case No. **4:19mj2220**

## APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment "A" and the Affidavit In Support of the Search Warrant)

located in the Southern District of Texas, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment "B" and the Affidavit In Support of the Search Warrant)

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
Title 18 U.S.C. Sec. 1951(a)	Aiding and Abetting the Interference with Commerce by Robbery
Title 18 U.S.C. Sec. 924(c)	Aiding and Abetting the Use of Firearm During a Crime of Violence

The application is based on these facts:

See Attached Affidavit and Attachments A and B

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days *(give exact ending date if more than 30 days: \_\_\_\_\_)* is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

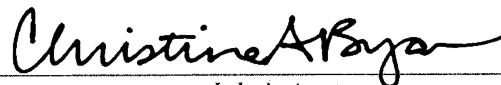


Applicant's signature

Jeffrey M. Coughlin, FBI Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone *(specify reliable electronic means)*.

Date: December 2, 2019City and state: Houston, Texas


Judge's signature

Christina A. Bryan, United States Magistrate Judge

Printed name and title

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to records and information associated with the cellular telephone assigned call number **210-987-6147** (“the Account”), that are stored at premises controlled by **T-Mobile** (“the Provider”), headquartered at **4 Sylvan Way, Parsippany, New Jersey 07054**.

## **ATTACHMENT B**

### **Particular Things to be Seized**

#### **I. Information to be Disclosed by the Provider**

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any information that has been deleted but is still available to the Provider or that has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose to the government the following information pertaining to the Account listed in Attachment A for the time periods of **1/10/2019 – 1/25/2019** and **5/1/2019 – 5/15/2019**.

- a. The following information about the customers or subscribers of the Account:
  - i. Names (including subscriber names, user names, and screen names);
  - ii. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
  - iii. Any other telephone numbers associated with the billing account of the requested Account listed in Attachment A.
  - iv. Local and long distance telephone connection records;
  - v. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (“IP”) addresses) associated with those sessions;
  - vi. Length of service (including start date) and types of service utilized;
  - vii. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEIN”), Mobile Equipment Identifier (“MEID”); Mobile Identification Number (“MIN”), Subscriber Identity Modules (“SIM”), Mobile Subscriber Integrated Services Digital Network Number (“MSISDN”); International Mobile Subscriber Identity Identifiers (“IMSI”), or International Mobile Equipment Identities (“IMEI”);

- viii. Other subscriber numbers or identities (including the registration Internet Protocol (“IP”) address); and
  - ix. Means and source of payment for such service (including any credit card or bank account number) and billing records.
- b. All records and other information (not including the contents of communications) relating to wire and electronic communications sent or received by the Account, including:
  - i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers (call detail records), email addresses, and IP addresses); and
  - ii. information regarding the cell towers and sectors through which the communications were sent and received.

## **II. Information to be Seized by the Government**

All information described above in Section I that constitutes evidence of violations of Title 18 U.S.C. 1951(a), 924(c), and 2 involving **210-987-6147** during the periods **1/10/2019 – 1/25/2019** and **5/1/2019 – 5/15/2019**.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN THE MATTER OF THE SEARCH OF  
INFORMATION ASSOCIATED WITH THE  
CELLULAR TELEPHONES ASSIGNED  
CALL NUMBERS **832-716-9924, 210-987-  
6147, AND 337-570-3273** THAT IS STORED  
AT PREMISES CONTROLLED BY T-  
MOBILE

Case No. \_\_\_\_\_

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, **Jeffrey M. Coughlin**, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have worked as such since August 2014. I am currently assigned to the Houston Field Office, Violent Crime Task Force. During my law enforcement career, I have investigated criminal matters relating to bank and armored truck robberies, commercial business robberies, violent fugitives, drug trafficking, and crimes against children. Through these investigations as well as my previous training, I have become familiar with the patterns of activity regarding armored truck robbery suspects and the methods they employ to plan, coordinate, and conduct robberies. Consequently, I am familiar with the ways in which suspects utilize cellular telephones to coordinate these activities. Suspects often communicate using both voice calls and message applications prior to, during, and after the execution of a robbery. This allows them to communicate and coordinate the surveillance and execution of the robbery while using multiple vehicles.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other officers, agents, and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. Your Affiant makes this affidavit in support of an application for a search warrant for information associated with certain cellular telephones assigned call numbers **832-716-9924 (SUBJECT PHONE #1)**, **210-987-6147 (SUBJECT PHONE #2)**, and **337-570-3273 (SUBJECT PHONE #3)** that is stored at premises controlled by **T-Mobile** a wireless telephone service provider headquartered at **4 Sylvan Way, Parsippany, New Jersey 07054**. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. § 2703(c)(1)(A) and Rule 41 of the Federal Rules of Criminal Procedure to require **T-Mobile** to disclose to the government copies of the information further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review the information to locate items described in Section II of Attachment B.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that the information described in Attachment B associated with the **SUBJECT PHONES** described in Attachment A is contained evidence of a crime, specifically violations of 18 U.S.C. §§ 1951(a), 924(c), and 2.

#### **PROBABLE CAUSE**

5. In May 2019, Texas Department of Public Safety Criminal Investigative Division (DPS CID) Special Agents and Deputies with the Harris County Sheriff's Office Violent Crime

Unit (HCSO VCU) were investigating a series of Walgreens pharmacy robberies conducted in Harris and Fort Bend counties. Through an ongoing investigation your Affiant and law enforcement investigators from DPS CID and HCSO VCU have identified a series of seven similarly executed robberies that have occurred from May 2, 2019 to May 14, 2019. Affiant and law enforcement investigators have reviewed offense reports, witness statements, and surveillance videos from these robberies. Your Affiant and law enforcement investigators have observed a similar criminal plan, operation, and scheme in these incidents. Specifically, your Affiant has observed that prior to the execution of these robberies an individual enters the pharmacy and “scouts” the locations in what I believe is an attempt to determine the number of people inside of the pharmacy. Your Affiant has observed that after the scout departs the pharmacy, multiple armed suspects wearing masks and hooded sweatshirts to conceal their identities then enter the pharmacy and conduct the robbery. Your Affiant has observed that on multiple occasions, the suspects have located the safe and forced the employees to open the safe at gunpoint. Your Affiant has observed that the suspects then flee the pharmacy and enter the scout vehicle either in the pharmacy parking lot or and an adjacent parking lot or neighborhood.

6. On May 14, 2019 law enforcement investigators from DPS CID and HCSO VCU were conducting surveillance of a 2013 silver Ford Explorer registered to **Lenishia WILLIAMS**. This vehicle was identified on surveillance video from prior Walgreens pharmacy robberies. The Explorer was located at 6810 Fuqua Drive, Missouri City, Texas, a known address for **WILLIAMS**. Investigators observed the Explorer, which was occupied by three individuals later determined to be **WILLIAMS**, **Roy BATTLE**, and **Edward PRIESTLY**, travel from 6810 Fuqua Drive to a Walgreens pharmacy located at 8413 Stella Link Boulevard, Houston, Texas. Investigators communicated with personnel at Walgreens’ security operations

center who monitor the surveillance cameras of the Walgreens pharmacies. Walgreens personnel advised investigators that there were two masked men inside the manager's office at the 8413 Stella Link Boulevard location. Investigators then observed these two masked individuals, later identified as **BATTLE** and **PRIESTLY**, exit the Walgreens with a large black bag, enter the Explorer, and flee the location. A felony stop was initiated on the Explorer and **BATTLE**, **PRIESTLY**, and **WILLIAMS** were taken into custody without incident and identified.

7. Two semi-automatic pistols and a large black duffel bag containing a large amount of United States currency, coins, and Walgreens envelopes were located within the Explorer. **BATTLE** and **PRIESTLY** were wearing clothing matching the clothing of the suspects observed in the Walgreens' surveillance video. Employees from the Walgreens located at 8413 Stella Link Boulevard stated that the suspects forced them at gunpoint to the manager's office where the suspects then forced them to open the safe. A review of surveillance video also revealed that **WILLIAMS** entered the Walgreens prior to the robbery and made a purchase. **WILLIAMS** was positively identified by Walgreens employees as being in the store prior to the robbery.

8. During a search of the Ford Explorer, the following cellular telephones were located and collected as evidence:

- a. Samsung model SM-J260T1, with IMEI 352475/10/519647/9
- b. Samsung model SMJ327T1, with IMEI 352001/09/352275/5
- c. Apple model iPhone A1662, with IMEI 353791083369337
- d. Samsung model Galaxy Edge, with IMEI 356164071552057



9. During her post arrest interview in which she was advised of her Miranda rights, WILLIAMS provided details of seven Walgreens pharmacy robberies in which she implicated herself, BATTLE, PRIESTLY, and others.

10. On 9/13/2019, your Affiant obtained search warrants for the above listed cellular telephones.

11. The phone number associated with the Samsung model Galaxy Edge, with IMEI 356164071552057 was **832-716-9924 (SUBJECT PHONE #1)**. Based on the contents from the search of this phone, **BATTLE** is believed to be the user of the phone. Call logs from the phone revealed that **SUBJECT PHONE #1** was in contact with phone number **210-987-6147 (SUBJECT PHONE #2)** believed to be utilized by **PRIESTLY**, and phone number **337-570-3273 (SUBJECT PHONE #3)** believed to be utilized by **WILLIAMS** prior to five of the seven suspected robberies. A search of the message logs within the phone revealed that on 5/13/2019 at 12:41am, the user of the **SUBJECT PHONE #1** sent someone listed in the contacts of the phone as "Tj" the two below photographs. Hours before the photographs were sent, both cash and coin denominations of United States Currency were taken during the robbery on 5/12/2019 at 10:52pm of the Walgreens located at 2203 Texas Parkway, Missouri City, Texas.



12. The phone number associated with the Samsung model SM-J260T1, with IMEI 352475/10/519647/9 was **210-987-6147 (SUBJECT PHONE #2)**. Based on the contents of from the search of this phone, **PRIESTLY** is believed to be the user of this phone. Phone number **337-570-3273 (SUBJECT PHONE #3)** believed to be utilized by **WILLIAMS** was listed in the contacts of this phone as “H TOWN Peanut”. On 5/8/2019 at 12:14pm, the user of **SUBJECT PHONE #2** sent phone number 337-570-2373 the following message: “Peanut you trippin you from the streets the laws ain’t a factor you gone tell on yourself”. There were not any incoming messages from phone number 337-570-2373, which is two numbers different from **SUBJECT PHONE #3**. A search of the message logs within the phone revealed that on 5/13/2019 at 9:45pm, the user of the **SUBJECT PHONE #3** sent the user of **SUBJECT PHONE #2** the below photographs. In the photographs, **PRIESTLY** is posing with what appears to be the same firearms that were recovered during his arrest on 5/14/2019.



The below photograph was located within the message logs of the phone. META data from the photograph revealed that the photograph was taken at 5/5/2019 at 12:57am. Hours before the photograph was taken, approximately \$5,000 of United States Currency was taken during the robbery on 5/4/2019 at 9:46pm of the Walgreens located at 9450 Hammerly, Houston, Texas.



13. During the search of the message logs located within **SUBJECT PHONE #2**, messages from phone number 210-987-6147 listed as "A" in the contacts of the phone were identified. The user of 210-987-6147 sent **SUBJECT PHONE #2** a message on 3/26/2019 at

7:26am that contained the message “And last Edward is the murder of the taxi driver out of Windcrest. Yes I've done my homework.” Your Affiant contacted Windcrest Police Department and learned that there was an unsolved murder where a taxi driver was killed in the course of a robbery on 1/17/2019. Investigators with the Windcrest Police Department located and interviewed the user of phone number 210-987-6147. **PRIESTLEY** was implicated in the murder of the taxi driver.

14. In my training and experience, your Affiant has learned that participants in commercial business store robberies often spend multiple hours or even days conducting surveillance of possible robbery locations. This includes watching specific store locations to determine the patterns of both the employees and customers. Participants also attempt to identify any security in the businesses or identify patterns of law enforcement in the area. Participants will send “scouts” in prior to the robbery to obtain this information. Participants will often utilize cellular telephone devices to plan, assist, coordinate, and carry out the robbery.

15. Therefore, based on Affiant’s training and experience, and experience of other law enforcement personnel with whom Affiant has consulted, Affiant knows that cell phone records (to include cell sites) such as those provided by telephone companies contain information of an evidentiary nature that may show the use of a cellular telephone at or near the time and location of a violent criminal offense, including items constituting evidence tending to show that a particular person committed a violent criminal offense. Additionally, based on Affiant’s training and experience, and experience of other law enforcement personnel with whom Affiant has consulted, Affiant knows that cell phone records provide investigators knowledge of an individual’s habits, routines, persons contacted, and at times locations visited. Affiant has experience in investigating crimes in which stored historical electronic data, call detail records, and

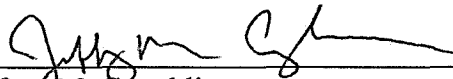
cellular tower location data, has assisted in providing evidence, identifying additional suspects or witnesses of a criminal offenses. Affiant believes that said records will further help Affiant in his investigation by showing the location(s) of subjects' phones during and immediately after the incident(s) under investigation

**AUTHORIZATION REQUEST**

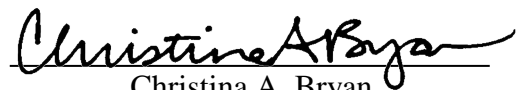
16. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to 18 U.S.C. § 2703(c) and Federal Rule of Criminal Procedure 41 authorizing the search of a records associated with the **SUBJECT PHONES** described in Attachment A, for the information further described in Attachment B.

17. I further request that the Court direct **T-Mobile** to disclose to the government any information described in Section I of Attachment B that is within its possession, custody, or control. Because the warrant will be served on **T-Mobile**, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

Respectfully submitted,

  
\_\_\_\_\_  
Jeffrey M. Coughlin  
Special Agent  
Federal Bureau of Investigation

SUBSCRIBED TO AND SWORN TELEPHONICALLY on December 02, 2019.

  
\_\_\_\_\_  
Christina A. Bryan  
United States Magistrate Judge